APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR		ATTORNEY DOCKET NO.
09/207,945	12/09/98	NGUYEN	3	5577-115

020792   TM02/1010
MYERS BIGEL SIBLEY & SAJOVEC
PO BOX 37428
RALEIGH NC 27627

EXAMINER
HUYNH, T

ART UNIT	PAPER NUMBER
2176	16

DATE MAILED:
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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

	Office Action Summary	Application No.	Applicant(s)
● ●		09/207,945	NGUYEN ET AL.
		Examiner	Art Unit
		Thu v Huynh	2176

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *14 September 2001* .

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-57* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-57* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *4* .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1.   This action is responsive to communications: Preliminary Amendment for Continuation

Prosecution Application filed on 09/14/01; application filed on 12/09/1998; and IDS filed

on 12,09/1998 and 03/04/1999;

2.   Claims 1-57 are pending in the case. Claims 1, 9, 13, 20, 28, 32, 39, 47, and 51 are

independent claims.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4.   **Claims 1, 2, 7, 8, 10, 14, 15, 20, 21, 26, 27, 39, 40, 45, and 46 are rejected under 35**

U.S.C. 102(e) as being anticipated by Blumenau et al. (hereinafter Blumenau), U.S. patent

6,108,637 filed 09/03/1996, issued 08/2000.

Regarding independent claim 1, Blumenau teaches the step of:

-       storing a record of the user request within a web server log (Blumenau, col.2,

lines 20-36).

-        generating the requested web page, wherein the generated web page includes a

content object having a unique identifier associated therewith (Blumenau, col.2,

lines 20-36).

-   serving the generated web page to the web client (Blumenau, col.2, lines 20-36).

-   appending the stored record of the user request with the unique identifier associated with the content object included within the generated web page (Blumenau, col.2, lines 20-52).

Regarding dependent claim 2, which is dependent on claim 1, Blumenau teaches the limitations of claim 1 as explained above. Blumenau discloses wherein the record of the request includes information that identifies the user (Blumenau, col.2, lines 20-52, "address of the client computer").

Regarding dependent claim 7, which is dependent on claim 1, Blumenau teaches the limitations of claim 1 as explained above. Blumenau discloses the step of appending the stored record of the user request with a time stamp for a subsequence user request for a web page (Blumenau, col.2, lines 20-52).

Regarding dependent claim 8, which is dependent on claim 7, Blumenau teach the limitations of claim 7 as explained above. Blumenau discloses the step of determining a length of time the user views the generated web page using the time stamp within the store record (Blumenau, col.13, lines 50-58).

Regarding dependent claim 10, claim 10 includes limitations of claim 2, and is rejected under the same rationale.

Regarding dependent claim 14, claim 14 includes limitations of claim 1, and is rejected under the same rationale.

Regarding dependent claim 15, claim 15 includes limitations of claim 2, and is rejected under the same rationale.

Claims 20, 21, 26, and 27 are for a computer system performing the method of claims 1, 2, 7, and 8, respectively and are rejected under the same rationale.

Claims 39, 40, 45, and 46 are for a computer program performing the method of claims 1, 2, 7, and 8, respectively and are rejected under the same rationale.

Claim Rejections - 35 USC § 103

5.　　The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

(b) This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6.   **Claims 1- 4, 6-17, 19-23, 25-36, 38-42, 44-55, 57 are rejected under 35 U.S.C. 103(a)**

as being unpatentable over Wodarz et al. (hereinafter Wodarz), U.S. Patent Number

5,999,912 filed 05/01/1997, issued 12/ 1999, in view of Blumenau et al. (hereinafter

Blumenau), U.S. patent 6,108,637 filed 09/03/1996, issued 08/2000.

  Regarding independent claim 1, Wodarz teaches the steps of:

-   generating the requested web page, wherein the generated web page includes a

    content object having a unique identifier associated therewith (Wodarz, col.3, line

    39 – col.4, line 12).

-   serving the generated web page to the web client (Wodarz, col.3, line 39 – col.4,

    line 15).

However, Wodarz does not explicitly disclose the steps of storing a record of the user

request within a web server log; appending the stored record of the user request with the unique

identifier associated with the content object included within the generated web page. Blumenau

discloses the steps of:

-   storing a record of the user request within a web server log (Blumenau, col.2,

    lines 20-36).

-   appending the stored record of the user request with the unique identifier

    associated with the content object included within the generated web page (

    Blumenau, col.2, lines 20-52).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have combined Wodarz and Blumenau to help the server to provide web

pages which based on the user specific characteristics as Wodarz disclosed "selection of ads to

provide to the user are based on user specific characteristic" (Wodarz, col.2, lines 7-13), since

storing "a record of the user request within a web server log" and "unique identifier associated

with the content object included within the generated web page" of Blumenau would have helped

the server keep track of the user's information and activity.

Regarding dependent claim 2, which is dependent on claim 1, Wodarz and

Blumenau teach the limitations of claim 1 as explained above. Blumenau discloses wherein the

record of the request includes information that identifies the user (Blumenau, col.2, lines 20-52).

It would have been obvious to a person of ordinary skill in the art at the time the invention was

made to have combined Wodarz and Blumenau to help the server provide web pages which meet

the user's interest, since basing on user identifier, the server would be able to serve web pages to

appropriate user's needs as Wodarz disclosed at col.2, lines 7-13.

Regarding dependent claim 3, which is dependent on claim 1, Wodarz and Blumenau

teach the limitations of claim 1 as explained above. Wodarz also discloses the method according

to claim 1 wherein the step of generating the requested web page comprises the steps of:

- retrieving a layout template for the requested web page, wherein the layout

    template defines how content objects are displayed within the requested web page

    (Wodarz, col.1, lines 35-40).

- retrieving the content object (Wodarz, col.1, lines 35-62).

- combining the content object and the layout template to produce the requested

    web page (Wodarz, col.1, line 35 – col.2, line 6).

Regarding dependent claim 4, which is dependent on claim 3, Wodarz and Blumenau

teach the limitation of claim 3 as explained above.   Wodarz discloses the method according to

claim 3 wherein the content object is selected from the group of image files, hyperlinks (col.3,

lines 55-61). However, Wodarz does not explicitly disclose the content object is selected from

the group of text files, audio files, and video file. It would have been obvious to a person of

ordinary skill in the art at the time the invention was made to have included that advertisement

objects of Wodarz is selected from the group of text files, audio files, and video file, since it

would have helped the generated web page more attractive to the user.

Regarding dependent claim 6, which is dependent on claim 1, Wodarz and Blumenau

teach the limitations of claim 1 as explained above. Wodarz also discloses the method according

to claim 1 further comprising the step of a parser program using algorithms to select appropriate

ads (Wodarz, col.2, lines 7-14), which implies the step of analyzing a plurality of stored user

request records to determine web content preferences of a user.

Regarding dependent claim 7, which is dependent on claim 1, Wodarz and Blumenau

teach the limitations of claim 1 as explained above.   Blumenau discloses the step of appending

the stored record of the user request with a time stamp for a subsequence user request for a web

page (Blumenau, col.2, lines 20-52). It would have been obvious to a person of ordinary skill in

the art at the time the invention was made to have combined Wodarz and Blumenau to help the

server more accurately analyze the user's records to determine web content preferences of a user,

since the more user's information a server captures, the better the quality of the statistics would

have been.

Regarding dependent claim 8, which is dependent on claim 7, Wodarz and Blumenau

teach the limitations of claim 7 as explained above. Blumenau discloses the step of determining

a length of time the user views the generated web page using the time stamp within the store

record (Blumenau, col.13, lines50-58). It would have been obvious to a person of ordinary skill

in the art at the time the invention was made to have combined Wodarz, and Blumenau to

provide more criteria for Wodarz's parser program to select ads to provide to the client, since the

server knows what the users' interests are, based on how long the user spent to view the web

page.

Regarding independent claim 9, claim 9 includes limitations of claims 1 and 3, and is

rejected under the same rationale of these claims. However, Claim 9 is different from claims 1

and 3 is the generated web page includes *first and second content objects having respective*

unique first and second identifiers associated therewith. Wodarz also discloses the generated

web page includes many advertisement objects having respective identifiers (Wodarz, col.1, lines

35-52).

Regarding dependent claim 10, claim 10 includes limitations of claim 2, and is rejected

under the same rationale.

Regarding dependent claim 11, claim 11 includes limitations of claim 4, and is rejected under the same rationale.

Regarding dependent claim 12, claim 12 includes limitations of claim 6, and is rejected under the same rationale.

Regarding independent claim 13, Wodarz teaches the steps of:

- associating dynamically generated web page content with a user who requests a web page from a web server via a web client in communication with the web server (Wodarz, col.1, lines 35-52).

Regarding dependent claim 14, claim 14 includes limitations of claim 1, and is rejected under the same rationale.

Regarding dependent claim 15, claim 15 includes limitations of claim 2, and is rejected under the same rationale.

Regarding dependent claim 16, claim 16 includes limitations of claim 3, and is rejected under the same rationale.

Regarding dependent claim 17, claim 17 includes limitation of claim 4, and is rejected under the same rationale.

Regarding dependent claim 19, claim 19 includes limitation of claim 6, and is rejected under the same rationale.

Claims 20-23, 25-36, and 38 are for a computer system performing the method of claims 1-4, 6-17, and 19, respectively and are rejected under the same rationale.

Claims 39-42, 44-55, and 57 are for a computer program performing the method of claims 1-4, 6-17, and 19, respectively and are rejected under the same rationale.

7.   **Claims 5, 18, 24, 37, 43, and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wodarz in view of Blumenau as applied to claim 1 above, and further in view of Leighton et al. (hereinafter Leighton), U.S. Patent Number 6,108,703 original filed 07/14/1998, issued 08/2000.**

Regarding dependent claim 5, which is dependent on claim 1, Wodarz and Blumenau teach the limitations of claim 1 as explained above. Wodarz and Blumenau do not disclose the step of wherein the unique identifier associated with the content object is generated by a hashing function. Leighton discloses the step of URL associated with the content object is generated by a hashing function (col.4, lines 5-10). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Wodarz, Blumenau and Leighton to provide a highly unique identifier for the content object, since the hash function was well known for providing a unique identifier of a piece of data.

Regarding dependent claim 18, claim 18 includes limitation of claim 5, and is rejected under the same rationale.

Claims 24 and 37 are for a computer system performing the method of claim 5, are rejected under the same rationale.

Claims 43 and 56 are for a computer program performing the method of claim 5, are rejected under the same rationale.

Conclusion

8.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Pogrebisky et al.	U.S. Pat No.5,958,008	issued 09/28/1999.
Myerson	U.S. Pat No.5,892,917	issued 04/06/1999.
Sanford et al.	U.S. Pat No. 6,256,028	issued 07/03/2001.

9.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu v Huynh whose telephone number is (703) 305-9774. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R Herndon can be reached on (703) 308-5186. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular

communications (703) 746-7238 for After Final communications, and (703) 746-7240 for Non-

Official/Draft.

        Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703) 305-9000.

TVH

October 9, 2001

HEATHER R. HERNDON

SUPERVISORY PATENT EXAMINER

TECHNOLOGY CENTER 2100